

# EXHIBIT B

## Firm Resume

Gibbs Law Group is a national litigation firm representing plaintiffs in class and collective actions in state and federal courts, and in arbitration matters worldwide. The firm serves clients in consumer protection, securities and financial fraud, antitrust, whistleblower, personal injury, and employment cases. We are committed to achieving favorable results for all of our clients in the most expeditious and economical manner possible.

The firm regularly prosecutes multi-state class actions and has one of the best track records in the country when it comes to successfully certifying classes, developing practical damages methodologies, obtaining prompt relief for class members victimized by unlawful practices, and working cooperatively with other firms.

Our attorneys take pride in their ability to simplify complex issues; willingness to pursue narrow and innovative legal theories; ability to work cooperatively with other plaintiffs' firms; and desire to outwork and outlast well-funded defense teams.

As a result, our firm and attorneys are frequently recognized by the courts, our peers, and the legal media for the quality of their work:

- Class Action Practice Group of the Year, *Law360*, 2019
- Top Boutique Law Firms in California, *Daily Journal*, 2019
- Titans of the Plaintiffs Bar, *Law360*, 2019 (Eric Gibbs)
- Two 2019 California Lawyer Attorney of the Year (CLAY) Awards
- Top Plaintiff Lawyers in California, *Daily Journal*, 2020, 2019 and 2016 (Eric Gibbs)
- Cybersecurity and Privacy MVP, *Law360*, 2018 (Eric Gibbs)
- Consumer Protection MVP, *Law360*, 2016 (Eric Gibbs) (sole plaintiffs' lawyer recognized)
- Top Cybersecurity/ Privacy Attorneys Under 40, *Law360 Rising Stars*, 2017 (Andre Mura)
- Top Class Action Attorneys Under 40, *Law360 Rising Stars*, 2017 (David Stein)
- Top 40 Lawyers Under 40, *Daily Journal*, 2017 (David Stein)
- AV-Preeminent, *Martindale-Hubbell* (Eric Gibbs)
- Best Lawyers in America for Class Action and Mass Torts
- 14 of our attorneys have been recognized as Northern California *Super Lawyers* or *Rising Stars*.

### ATTORNEYS

#### Partners

<i>Eric Gibbs</i>	<b>p. 3</b>
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### SIGNIFICANT RECOVERIES

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## **Diversity, Equity & Inclusiveness**

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Gibbs Law Group is committed to diversity, inclusion, and racial justice in everything we do. Our commitment to equity and opportunity starts within our firm and extends to our community and to our work. We seek to create a culture where our employees feel comfortable bringing their full selves to work, and where we have the knowledge and skills necessary to effectively advocate for our diverse clients.

To support our goal of advancing equity both inside and outside our firm, we created an Equity, Diversity and Inclusion Task Force comprised of partners, associates, and staff. The Task Force is working to promote diversity among our employees, the clients we represent, and the causes we support. Some of the Task Force's work to date includes:

- Implementing modifications to the firm's hiring practices to diversify our applicant pool and to prioritize diversity in hiring and retention.
- Participated in the California State Bar's annual summit on diversity and equity in the legal profession.
- Outreach to diversity-focused law school organizations to expand awareness of complex litigation opportunities and ensure a diverse pool of applicants.
- Identifying and supporting diversity-focused legal organizations and non-profits.
- Maximizing the firm's capacity for social change in the community.
- Commitment to implementing annual anti-bias and microaggressions trainings.

## **Voting Rights Task Force**

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Gibbs Law Group is proud to have launched our Voting Rights Task Force, through which we have been participating in efforts to protect and expand civic participation across the country. The Task Force seeks to identify specific opportunities for both our attorneys and staff to promote voter engagement and maximize voter participation. We implemented new programs to promote firmwide involvement in protecting and expanding the right to vote, including:

- Making Election Day a firm holiday.
- Allowing support staff to bill a set number of hours per week to Voting Rights Task Force efforts, including with nonprofit organizations.
- Encouraging attorney participation in voter protection volunteer opportunities during elections, including staffing voter protection hotlines, poll watching, and helping triage issues that arise.



## Eric H. Gibbs | Partner

Eric Gibbs prosecutes antitrust, consumer protection, whistleblower, financial fraud and mass tort matters. He has been appointed to leadership positions in dozens of contested, high profile class actions and coordinated proceedings. Eric has recovered billions of dollars for the clients and classes he represents and has negotiated groundbreaking settlements that resulted in meaningful reforms to business practices and have favorably impacted plaintiffs' legal rights.

## Reputation and Recognition by the Courts

In over 20 years of practice, Eric has developed a distinguished reputation with his peers and the judiciary for his ability to work efficiently and cooperatively with co-counsel, and professionally with opposing counsel in class action litigation.

“[Mr. Gibbs] efficiently managed the requests from well over 20 different law firms and effectively represented the interests of Non-Settling Plaintiffs throughout this litigation.”

- Hon. G. Wu, *In re Hyundai & Kia Fuel Economy Litig.* (C.D. Cal)

“The attorneys who handled the case were particularly skilled by virtue of their ability and experience.”

- Hon. D. Debevoise, *In re: Mercedes-Benz Teleaid Contract Litig.* (D. N.J.)

“They are experienced and knowledgeable counsel and have significant breadth of experience in terms of consumer class actions.”

- Hon. R. Sabraw, *Mitchell v. Am. Fair Credit Assoc'n* (Alameda Cty. Superior Ct.)

“Representation was professional and competent; in the Court's opinion, counsel obtained an excellent result for the class.”

- Hon. J. Fogel, *Sugarman v. Ducati N. Am.* (N.D. Cal)

## Achievements and Leadership

Eric has been recognized as a leading lawyer in class and mass actions. In 2019, *Law360* recognized Eric among its “Titans of the Plaintiffs Bar,” one of only 10 attorneys nationwide to receive the prestigious award. He also received the 2019 *California Lawyer Attorney of the Year (CLAY) Award* for his work in the Anthem Data Breach Litigation. *Daily Journal* named him to its coveted list of “Top Plaintiff Lawyers in California” for 2020, 2019 and 2016. *Law360* recognized Eric as a “2016 Consumer Protection MVP,” (the only plaintiff-side lawyer in the country selected in that category) and as a “2018 Cybersecurity & Privacy MVP.” Consumer Attorneys of California selected Eric and co-counsel as finalists for *Consumer Attorney of the Year* for achieving a \$100 million settlement in the Chase “Check Loan” Litigation. His cases have been chronicled in major legal and news publications including *NBC News*, *CNN*, the *National Law Journal*, *The New York Times*, *Market Watch*, and *Bloomberg News*. Eric holds a variety of leadership positions in professional associations for consumer advocacy, and he frequently presents on developing trends in the law at conferences throughout the country.

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### Practice Emphasis

Antitrust & Unfair Competition  
Banking and Financial Fraud  
Class Actions  
Consumer Protection  
Mass Personal Injury  
Whistleblower

### Education

Seattle University School of Law, J.D., 1995

San Francisco State University, B.A., 1991

### Awards & Honors

*Titans of the Plaintiffs Bar*,  
Law 360, 2019

*California Lawyer Attorney of the Year Award*, 2019

*Top Plaintiff Lawyers in California for 2020, 2019, 2016*, Daily Journal

*Lawdragon 500 Leading Plaintiff Consumer Lawyer*, 2019

*Cybersecurity & Privacy MVP*, Law 360, 2018

*Consumer Protection MVP*, Law 360, 2016

*Best Lawyers in America for Class Actions/ Mass Tort Litigation* (2012-2019)

*AV Preeminent® Peer Review Rated by Martindale-Hubbell*

*Top 100 Super Lawyers in Northern California*

### Admissions

California

## Litigation Highlights

***In re Anthem, Inc. Data Breach Privacy Litigation*** – Served as a court-appointed member of the Plaintiffs’ Steering Committee representing the interests of plaintiffs and putative class members following a massive data breach of approximately 80 million personal records. The lawsuit settled in August 2018 for \$115 million, the largest data breach settlement in history at the time.

***In re Chase Bank U.S.A., N.A. “Check Loan” Contract Litigation*** – multidistrict litigation that alleged Chase Bank wronged consumers by offering long-term fixed-rate loans, only to later more-than-double the required loan payments. Eric led negotiations in the case, which resulted in a \$100 million settlement with Chase eight weeks prior to trial.

***In re Adobe Systems Inc. Privacy Litigation*** – As court-appointed lead counsel, Eric and his team reversed a long line of decisions adverse to consumers whose personal information was stolen in data breaches. Judge Koh issued a 41 page decision in plaintiffs’ favor and Eric negotiated a comprehensive reform of Adobe’s data security practices. The court’s landmark decision on Article III standing in this case marked a sea change and has been cited favorably in over twenty cases in the year since it was issued.

***In re Hyundai & Kia Fuel Econ. Litigation*** – As court-appointed liaison counsel, Eric reconciled the plaintiffs’ interests and coordinated discovery and settlement negotiations. He helped finalize a settlement with an estimated value of up to \$360 million.

***Skold v. Intel Corp.*** – After more than a decade of litigation, Eric as lead counsel achieved a nationwide class action settlement on behalf of approximately 5 million consumers of Intel Pentium 4 processors. The lawsuit changed Intel’s benchmarking practices and Intel agreed to a cash settlement for the class, along with \$4 million in charitable donations.

***Parkinson v. Hyundai Motor America*** – Eric served as class counsel in this lawsuit alleging that the flywheel and clutch system in certain Hyundai vehicles was defective. After achieving nationwide class certification, Hyundai agreed to a settlement that provided for 50-100% reimbursements to class members for their repairs and full reimbursement for rental vehicle expenses.

***De La Cruz v. Masco Retail Cabinet Group*** – Eric served as lead attorney litigating the collective claims of dozens of misclassified account representatives for overtime pay under the Fair Labor Standards Act (FLSA). Successfully certified a class of current and former Masco account representatives and personally arbitrated the case to judgment obtaining full recovery for the class.

***In re Providian Credit Card Cases*** – Eric played a prominent role in this nationwide class action suit brought on behalf of Providian credit card holders alleging that Providian engaged in unlawful and fraudulent business practices in connection with the marketing and fee assessments for its credit cards. The Honorable Stuart Pollack approved a \$105 million settlement, plus injunctive relief—one of the largest class action recoveries in the United States arising out of consumer credit card litigation.

## Professional Affiliations

American Association for Justice  
American Bar Foundation- Fellow  
Consumer Attorneys of California  
National Association of Consumer Advocates  
Pound Civil Justice Institute- Fellow  
Public Justice Foundation- Class Action Preservation Project Committee



## Andre M. Mura | Partner

Andre M. Mura represents plaintiffs in class action and complex litigation concerning consumers' and workers' rights, products liability, drug and medical devices, federal jurisdiction, and constitutional law. Before joining Gibbs Law Group, Andre was senior litigation counsel at the Center for Constitutional Litigation PC, where he represented plaintiffs in high-stakes appeals and complex litigation in state supreme courts and federal appellate courts.

Andre received a 2019 California Lawyer Attorney of the Year Award for his work in the California Supreme Court in *De La Torre v. CashCall*. He is on the Board of the Civil Justice Research Initiative of Berkeley Law, a Fellow of the American Bar Foundation, a member of the Lawyers Committee of the National Center for State Courts, a Trustee of the Pound Civil Justice Institute, immediate past Chair of the American Association for Justice's LGBT Caucus, past Trustee of the National College of Advocacy, and a member of Williams College's Latino/a Alumni Network.

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### Practice Emphasis

Class Actions  
Consumer Protection  
Constitutional Law  
Employment Law  
Mass Personal Injury

### Education

The George Washington University Law School, J.D., 2004

Williams College, B.A., 2000

### Admissions

California  
District of Columbia

## Litigation Highlights

***In re: 3M Combat Arms Earplug Products Liability Litigation*** – This multi-district litigation concerns allegations that 3M's dual-ended Combat Arms earplugs were defective and caused servicemembers and civilians to develop hearing loss or tinnitus. A four-member panel appointed Andre to the Law, Briefing, and Legal Drafting Committee after reviewing nearly 200 applications from attorneys across the country and listening to 64 presentations over a 2-day period.

***In re: Taxotere (Docetaxel) Products Liability Litigation*** – Andre was a member of the trial team in a two-week federal jury trial, and is member of Plaintiffs' Steering Committee and co-chair of Law and Briefing in this multi-district litigation on behalf of breast cancer survivors who suffered permanent, disfiguring hair loss after using the Taxotere chemotherapy drug.

***In re: Vizio, Inc. Consumer Privacy Litigation*** – Andre is co-lead counsel for the settlement class in this multi-district lawsuit alleging that Vizio collected and sold data about consumers' television viewing habits and their digital identities to advertisers without consumers' knowledge or consent. He negotiated a settlement providing for class-wide injunctive relief transforming the company's data collection practices, as well as a \$17 million fund to compensate consumers who were affected.

***De La Torre v. CashCall*** – Andre played a key role in briefing before the California Supreme Court, resulting in a unanimous decision in the plaintiffs' favor. The decision changed decades-old assumptions that lenders in California had a virtual "safe harbor" from unconscionability challenges to loan interest rate terms.

***In re: Lenovo Adware Litigation*** – Andre successfully briefed and argued a motion to dismiss and motion to certify a nationwide litigation class for monetary damages. The court approved a \$7.3 million class action settlement to resolve allegations that Lenovo preinstalled software on laptops that caused performance, privacy and security issues for consumers.

***Beaver v. Tarsadia Hotels, 816 F.3d 1170 (9th Cir. 2016)*** – Andre contributed to briefing before the Ninth Circuit Court of Appeals resulting in a unanimous decision affirming the lower court's ruling that the UCL's four-year statute of limitations (and its accrual rule) applied in claims alleging violations of the Interstate Land Sales Full Disclosure Act (ILSA) even though ILSA has a shorter statute of limitations.

***Watts v. Lester E. Cox Medical Centers***, 376 S.W.3d 633 (Mo. 2012) – Andre successfully argued that a state law limiting compensatory damages in medical malpractice cases violated his client's right to trial by jury. In ruling for Andre's client, the Missouri high court agreed to overturn a 20-year-old precedent.

### **U.S. Supreme Court Advocacy**

***Merck Sharp & Dohme Corp. v. Albrecht***, 139 S. Ct. 1668 (2019), Before the U.S. Supreme Court, in a case concerning the scope of federal immunity for brand-name drug manufacturers, Andre represented medical doctors appearing as amici curiae. His amicus brief was much discussed at oral argument, with Supreme Court counsel for Albrecht telling the Justices, “It’s a beautifully done amicus brief to explain what the scientists knew and when they knew it....”

***J. McIntyre Machinery, Ltd. v. Nicastro***, 131 S. Ct. 2780 (2011), Andre was a lead author of merits briefing addressing whether personal jurisdiction exists over a foreign manufacturer.

***Mutual Pharmaceutical Co., Inc. v. Bartlett***, 133 S. Ct. 2466 (2013), Andre was the lead author of an amicus curiae brief for the American Association for Justice and Public Justice in case examining whether federal drug safety law preempts state-law liability for defectively designed generic drugs.

### **Awards & Honors**

California Lawyer Attorney of the Year (CLAY) Award (2019)

Top Cybersecurity & Privacy Attorneys Under 40, *Law360* Rising Stars (2017)

Northern California Super Lawyers (2019-2020); *Rising Star* (2016-2018)

### **Professional Affiliations**

American Association for Justice- Board of Governors, Class Action Litigation Group, Legal Affairs Group, LGBT Caucus

American Bar Foundation, Fellow

Consumer Attorneys of California, Member

Civil Justice Research Initiative of Berkeley Law, Board Member

National Center for State Courts, Lawyers Committee

Pound Civil Justice Institute, Trustee

### **Select Publications & Presentations**

Presenter, “Consumer Advocates Speak,” Practicing Law Institute, 24<sup>th</sup> Annual Consumer Financial Services Institute.

Presenter, “Employment Discrimination on the Basis of Sex: Does It Encompass Discrimination Based on Sexual Orientation?” American Association for Justice’s Annual Convention, July 2019

Author, “Staying on Track After Bristol-Myers,” Trial Magazine, American Association for Justice, April 2019.

Panelist, “State Court Protection of Individual Constitutional Rights,” Pound Civil Justice Institute 2018 Forum for State Appellate Court Judges, July 2018.

Author, *Buckman Stops Here! Limits on Preemption of State Tort Claims Involving Allegations of Fraud on the PTO or the FDA*, 41 Rutgers L.J. 309 (2010) (with Louis Bograd).



## David M. Berger | Partner

David Berger represents plaintiffs in class actions with a special emphasis on data breach, privacy, and health care litigation. He has represented data breach victims in some of the largest and most influential privacy cases, including litigation against Equifax, Anthem, Vizio, Adobe, Banner Health, and Excellus BlueCross BlueShield. David has repeatedly obtained record-breaking settlements on behalf of his clients, including in the Equifax and Anthem data breach cases, which set successive records for the largest data breach settlement in history.

David is widely regarded as a leader in emerging litigation involving data breach and privacy, which is underscored by his broad technical expertise—from hacking techniques and cybersecurity controls, to industry standard IT practices, information security frameworks, and auditing processes. He has deposed Chief Information Security Officers and information security professionals at Fortune 500 corporations, worked with expert witnesses on cutting-edge cybersecurity and damages theories, and supervised large-scale document review teams poring over millions of technical documents in a compressed timeframe. In addition, David holds the Certified Information Privacy Technologist (CIPT) certification through the International Association of Privacy Professionals, a program primarily designed for career IT professionals; this allows him to communicate directly with company witnesses, without the need for expert translation.

Outside of his litigation experience, David is an active member of the class action legal community, frequently speaking at conferences on data breach cases and security issues and other class action topics. David serves as the Chair of the American Association for Justice's Consumer Privacy and Data Breach Litigation Group and is an active member of the Sedona Conference's Working Group on Data Security and Privacy Liability.

Prior to joining Gibbs Law Group, he served as a law clerk to the Honorable Laurel Beeler, Northern District of California (2011-2014). Before law school, David worked as a magazine editor and television presenter in Taiwan and managed an outdoor center on an island off the West Coast of Scotland.

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**Practice Emphasis**  
Class Actions  
Consumer Protection  
Privacy

### Education

J.D., Northwestern University  
School of Law, 2008

B.A., University of Wisconsin,  
Madison, 1998

### Admissions

California

## Representative Work

***In re Equifax, Inc. Customer Data Security Breach Litigation*** – Key member of litigation team securing historic \$1.5 billion class action settlement on behalf of 147 million consumers whose social security numbers and other private data were exposed in a 2017 data breach, described by the court as “the largest and most comprehensive recovery in a data breach case in U.S. history by several orders of magnitude.” David played an integral role in negotiating key business practice changes, including overhauling Equifax's handling of consumers' personal information and data security and requiring that the company spend at least \$1 billion for data security and related technology over five years.

***In re Anthem, Inc. Data Breach Privacy Litigation*** – Key member of the litigation team representing interests of plaintiffs and putative class members following massive data breach of approximately 80 million personal records, including names, dates of birth, Social Security numbers, health care ID numbers, email and physical addresses, employment information, and income data. The lawsuit settled in August 2018 for \$115 million, the largest data breach settlement in history.

***Fero v. Excellus Health Plan Inc.*** – Key member of the litigation team representing the interests of 7 million Excellus health plan subscribers and 3.5 million Lifetime subscribers whose personal and medical information was compromised.

***In re Adobe Systems Inc. Privacy Litigation*** – Key member of the litigation team that succeeded in reversing a long line of decisions adverse to consumers whose personal information was stolen in data breaches. Judge Koh issued a 41-page decision in plaintiffs' favor and the settlement resulted in a comprehensive reform of Adobe's data security practices. The court's landmark decision on Article III standing marked a sea change and has been cited favorably in over twenty cases in the year since it was issued.

### **Awards & Honors**

Certified Information Privacy Technologist, International Association of Privacy Professionals (IAPP)  
Named a Northern California “Rising Star” by Super Lawyers (2016- 2018)

### **Professional Affiliations**

American Association for Justice  
Consumer Attorneys of California

### **Presentations and Publications**

Presenter, “Communicating with the Class,” Class Action Mastery Forum, January 2019.  
Presenter, “Hot Topics in Consumer Class Actions Against Insurers: Filed Rate Doctrine, Standing, and Reverse Preemption of RICO Claims,” Sacramento California Insurance Regulation and Litigation Seminar, Clyde & Co., March 2018.  
Presenter, “Winning strategies in privacy and data security class actions: the plaintiffs' perspective,” Berkeley Center for Law & Technology, Berkeley Law School, January 2017.  
Presenter, “Don’t be Spokeo’d: What You Need to Know in Litigating Data Breach Cases (from breach to remedies),” ABA Business Law Section Annual Meeting, September 8, 2016.  
Presenter, “Developments in ‘E-Commerce’ Class Actions and Privacy Law,” Perrin Class Action Litigation Conference, May 16, 2016.  
Presenter, “Data Breach Class Action Litigation,” Mass Torts Made Perfect Conference, April 22, 2016.



## Dylan Hughes | Partner

Dylan Hughes concentrates his practice on investigating and prosecuting fraud matters on behalf of whistleblowers, consumers and employees who have been harmed by corporate misconduct. He coordinates initial case evaluations and analyses in a variety of practice areas and has substantial experience in matters involving health care fraud, particularly in the Medicare and pharmaceutical contexts. Dylan represents consumers in cases ranging from false advertising to defective products, and employees in misclassification and wage and hour cases under state and federal laws.

Mr. Hughes has extensive experience prosecuting complex personal injury cases. He helped to obtain millions of dollars for women who suffered blood clots and other serious injuries after taking birth control pills. He has also represented clients injured by defective medical devices, including defibrillators, blood filters, as well as back pain implants. Mr. Hughes was part of the team that recently settled a case alleging medical malpractice for a spinal surgery that resulted in partial paralysis.

Mr. Hughes began his career as a law clerk for the Honorable Paul A. Mapes, Administrative Law Judge of the Office of Administrative Law Judges, United States Department of Labor. He is a member of the American Bar Association, Consumer Attorneys of California, American Association for Justice Class Action Litigation Group and the Consumer Rights Section of the Barristers Club.

## Litigation Highlights

***Skold v. Intel Corp.*** – Key member of the legal team in this decade-long litigation that achieved a nationwide class action settlement on behalf of approximately 5 million consumers of Intel Pentium 4 processors. The lawsuit changed Intel's benchmarking practices and Intel agreed to a cash settlement for the class, along with \$4 million in charitable donations.

***In re Adobe Systems Inc. Privacy Litigation*** – Key member of the litigation team that succeeded in reversing a long line of decisions adverse to consumers whose personal information was stolen in data breaches. Judge Koh issued a 41-page decision in plaintiffs' favor and the settlement resulted in a comprehensive reform of Adobe's data security practices. The court's landmark decision on Article III standing in this case marked a sea change and has been cited favorably in over twenty cases in the year since it was issued.

***Velasco v. Chrysler Group LLP*** – represented consumers who alleged they were sold and leased vehicles with defective power control modules that caused vehicle stalling. In addition to negotiating a recall of all 2012-13 Jeep Grand Cherokee and Dodge Durango vehicles, the lawsuit also resulted in Chrysler reimbursing owners for all repair and rental car expenses, and extending its warranty.

***Parkinson v. Hyundai Motor America*** – certified a nationwide class alleging Hyundai sold vehicles with defective flywheel systems, resulting in a favorable settlement for the class.

## Awards & Honors

Northern California Super Lawyer (2012-2020)

## Professional Affiliations

Consumer Attorneys of California  
American Association for Justice- Class Action Litigation Group



## Karen Barth Menzies | Partner

Karen is a nationally recognized mass tort attorney with more than twenty years of experience in federal and state litigation. Courts throughout the country have appointed Karen to serve in leadership positions including Lead Counsel, Liaison Counsel and Plaintiff Steering Committee in some of the largest pharmaceutical and device mass tort cases. Karen currently serves in leadership positions in the Taxotere Litigation (federal court), Zoloft Birth Defect Litigation (federal and California state courts), Transvaginal Mesh Litigation (federal and California state courts), Fosamax Femur Fracture Litigation (California state court), Lexapro/Celexa Birth Defect Litigation (Missouri state court).

Karen is particularly focused on women's health issues and sexual abuse claims, including a current Boy Scouts of America sexual abuse lawsuit investigation involving claims of abuse by scoutmasters, troop leaders and other adults affiliated with the Boy Scouts of America. She also represents women suffering permanent baldness following breast cancer chemotherapy treatments with Taxotere, and children who experienced severe side effects after taking the widely prescribed medication Risperdal. Karen believes in advocating for the victims who've been taken advantage of, and helping to ensure drug safety in the face of profit-driven corporations that hide the risks of their products. She has testified twice before FDA advisory boards as well as the California State Legislature on the safety concerns regarding the SSRI antidepressants and the manufacturers' misconduct. She has also advised victim advocacy groups in their efforts to inform governmental agencies and legislative bodies of harms caused by corporations.

Karen frequently publishes and presents on issues involving drug safety, mass tort litigation, FDA reform and federal preemption for both legal organizations (plaintiff and defense) and medical groups.

## Awards & Honors

AV Preeminent® Peer Review Rated by Martindale-Hubbell  
 Best Lawyers in America, Personal Injury Litigation (2021)  
 Individual Recognition Chambers USA: Product Liability Plaintiffs (2020)  
 Southern California Super Lawyer (2004-2020)  
 Lawyer of the Year by *Lawyer's Weekly USA* (2004)  
 California Lawyer of the Year by *California Lawyer* magazine (2005)  
 Consumer Attorney of the Year Finalist by CAOC (2006)

## Professional Affiliations

American Association for Justice, Co-Chair, Taxotere Litigation Group  
 Consumer Attorneys of California  
 Consumer Attorneys of Los Angeles  
 American Bar Association (appointed member of the Plaintiffs' Task Force)  
 Women En Mass  
 The Sedona Conference (WG1, Electronic Document Retention and Production)  
 The National Trial Lawyers  
 National Women Trial Lawyers Association  
 LA County Bar Association  
 Women Lawyers Association of Los Angeles  
 Public Justice

## Select Publications & Presentations

Author, "Prepping for the Prescriber Deposition," Trial Magazine, American Association for Justice, January 2020.

Presenter, “Deposing the Treating/ Prescribing Physician, Learned Intermediary, the One Potentially Fatal Fact Witness,” American Association for Justice Convention: Discovery and Litigation Strategies for Drug and Device Cases, February 2019.

Presenter, “A Funny Thing Did Happen on the Way to the Forum: Navigating the New Landscape of Personal Jurisdiction Challenges,” ABA Section of Litigation 2019 Environmental & Energy, Mass Torts, and Products Liability Litigation Committees’ Joint CLE Seminar, March 2018.

Presenter, “Federal and State Court Coordination of Mass Tort Litigation: Navigating State Court vs. Multidistrict Litigation, Mass Torts Made Perfect Conference, October 2018.

Presenter, “Taxotere Litigation: Federal MDL 2740, New Orleans and State Court Jurisdictions, Mass Torts Made Perfect Conference, October 2018.

Presenter, “505(b)(2) Defendants – The Non-Generic Alternative; Social Media and Support Groups; Settlement Committees,” AAJ Section on Torts, Environmental and Product Liability (STEP): On the Cutting Edge of Torts Litigation, July 2018.

Presenter, “Location, Location, Location Part II: State Court Consolidations,” AAJ Mass Torts Best Practices Seminar, July 2017.

Presenter, “Personal Jurisdiction in Mass Torts and Class Actions: Bristol-Myers Squibb Co. v. Superior Court (Cal. 2016),” Mass Torts Judicial Forum with Judge Corodemus and JAMS, April 2017.

Author, “Bringing the Remote Office Closer,” Trial Magazine, American Association for Justice, March 2017.



## Geoffrey Munroe | Partner

Geoffrey Munroe represents plaintiffs in high-profile class action and mass tort cases in both federal and state courts throughout the United States. He was selected as a Rising Star by Northern California Super Lawyers (2010-2014), recognizing him as one of the best young attorneys practicing in Northern California, and as a Northern California Super Lawyer every year from 2015-2020. He is the co-author of "*Consumer Class Actions in the Wake of Daugherty v. American Honda Motor Company*," CAOC's Forum Magazine, January/February 2009, and a frequent contributor to the Class Action Litigation Group Newsletter of the American Association for Justice.

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### Practice Emphasis

Class Actions  
Consumer Protection  
Mass Personal Injury  
Whistleblower

### Education

University of California,  
Berkeley School of Law, J.D.,  
2003

University of California at  
Berkeley, B.A., 2000

### Admissions

California

Mr. Munroe is a 2003 graduate of the University of California at Berkeley School of Law (Berkeley Law), where he was the recipient of the American Jurisprudence Award in Torts, Business Law & Policy and Computer Law. He received his undergraduate degree in chemistry from the University of California at Berkeley in 2000. Mr. Munroe is a member of the Public Justice Class Action Preservation Project Committee, the Class Action Litigation Group of the American Association for Justice and the Consumer Attorneys of California. He is a member of the California Bar and is admitted to practice before the United States Court of Appeals for the Ninth Circuit, as well as the United States District Courts for the Northern, Central and Southern Districts of California.

## Litigation Highlights

***Skold v. Intel Corp.*** – Key member of the briefing team in this decade-long litigation that achieved a nationwide class action settlement on behalf of approximately 5 million consumers of Intel Pentium 4 processors. The lawsuit changed Intel's benchmarking practices and Intel agreed to a cash settlement for the class, along with \$4 million in charitable donations.

***In re Chase Bank U.S.A., N.A. "Check Loan" Contract Litigation*** – Key member of the litigation team in this multidistrict case alleging that Chase Bank wronged consumers by offering long-term fixed-rate loans, only to later more-than-double the required loan payments. The litigation resulted in a \$100 million settlement with Chase eight weeks prior to trial.

***In re Mercedes-Benz Tele Aid Contract Litigation*** – Key member of the litigation team in this multi-district litigation alleging that Mercedes-Benz failed to disclose to its customers that the "Tele Aid" equipment installed in their vehicles would soon be obsolete and require an expensive replacement to keep working. Resulted in a class settlement providing for cash reimbursements of \$650, or new vehicle credits for up to \$1,300.

***Parkinson v. Hyundai Motor America*** – key member of the briefing team that achieved certification of a nationwide class alleging Hyundai sold vehicles with defective flywheel systems, before ultimately reaching a favorable settlement for the class.

## Awards & Honors

Northern California Super Lawyers (2015-2020)  
Northern California Super Lawyers, *Rising Star* (2010 - 2014)

## Professional Affiliations

Consumer Attorneys of California  
American Association for Justice- Class Action Litigation Group  
Public Justice- Class Action Preservation Project



## Michael Schrag | Partner

Michael Schrag has over 20 years of experience representing individual and small business plaintiffs in a broad range of complex class actions against large corporations in the banking, credit card, telecommunications, and real estate sectors. He has successfully litigated antitrust, securities, product liability, personal injury, medical malpractice, employment, and contingent breach of contract cases. He currently serves on the Plaintiffs' Executive Committee in the *In Re Cattle Antitrust Litigation*, on the Plaintiffs Steering Committee in the *In re: Wells Fargo Collateral Protection Insurance Litigation* and on the Expert Committee in the *In re: Disposable Contact Lens Antitrust Litigation*. He is also prosecuting "no-poach" wage suppression antitrust class actions against Burger King and Jiffy Lube and another class action against Wells Fargo for wrongfully denying over 870 borrowers loan modifications that caused many to lose their homes to foreclosure.

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### Practice Emphasis

Antitrust  
Class Actions  
Consumer Protection  
Mass Personal Injury  
Securities and Financial Fraud  
Whistleblower

### Education

University of California,  
Berkeley School of Law, J.D.,  
1996

Columbia College at Columbia  
University, B.A., 1989

### Admissions

California

### Awards & Honors

*Northern California Super  
Lawyers*, 2019-2020

*Best Lawyers in America*, 2020-  
2021 Edition

He also recently settled (for confidential sums) three related actions in California and Florida on behalf of small business owners alleging RICO and fraud claims against American General Insurance Company, a subsidiary of AIG. Michael previously represented a class of small business owners in a breach of contract case against an AT&T subsidiary that resulted in a \$27 million judgment. Early in his career, Michael helped initiate and prosecute class actions against Visa, MasterCard, and major U.S. banks for failing to disclose and fixing the price of currency conversion fees. These cases settled for \$336 million.

Michael is a 1996 graduate of the University of California at Berkeley School of Law (Berkeley Law) and received his undergraduate degree in 1989 from Columbia College at Columbia University. He began his career prosecuting securities class actions and serving as a law clerk to the Honorable Judith N. Keep, U.S. District Judge, Southern District of California.

## Litigation Highlights

***Hernandez v. Wells Fargo Bank, N.A.*** - Michael serves as court-appointed co-lead counsel representing a certified class of more than 500 home mortgage borrowers who lost their homes to foreclosure after Wells Fargo Bank erroneously denied their home loan modification requests. The Court granted preliminary approval to an \$18.5 million settlement, which, if finally approved, will pay significant compensation to each class member. Final approval pending.

***In re: Wells Fargo Collateral Protection Insurance Litigation*** - Michael served on the court-appointed, three-firm Plaintiffs' Steering Committee in this multi-district litigation on behalf of consumers who took out car loans from Wells Fargo and were charged for auto insurance they did not need. The parties agreed to a settlement of \$393.5 million for affected consumers and the Court granted final approval in November 2019.

***In re: Disposable Contact Lens Antitrust Litigation*** - (MDL No. 2626) Michael is currently a member of the expert committee in this antitrust class action challenging the minimum resale pricing policies of the dominant disposable contact lens manufacturers. After a two-day hearing the Court certified the class and trial is set for later this year.

***Beaver v. Tarsadia Hotels***- Michael served as co-lead counsel on behalf of consumers in this unfair competition class action against real estate developers selling hotel-condominium units. Lawsuit alleged that sellers concealed certain Congressionally-mandated protections in the sales contracts, including a statutory rescission right. After six years of litigation including a win in the Ninth Circuit that established favorable law for consumers, the lawsuit settled for \$51.15 million. In granting final approval, Judge Curiel concluded that the settlement was "an excellent result," and noted "Class Counsel overcame several hurdles that reflect their skill and experience." *Beaver v. Tarsadia Hotels*, 816 F. 3d 1170 (9<sup>th</sup> Cir. 2016)

***In re Currency Conversion Fee Antitrust Litigation (MDL No. 1409)***– This action alleged that Visa, MasterCard and their then member banks, including Bank of America and Chase, fixed the price of foreign currency conversion fees on international credit and debit card transactions. Michael was part of the team that prevailed at trial in a related state court action, and then obtained a \$336 million global settlement for the class in this multidistrict antitrust litigation against the country's largest credit card issuers and networks.

***Asokan et. al. v. American General Ins. Co.***- Member of the trial team in this insurance and investment fraud case against American General Insurance Co, an AIG subsidiary. Michael and his team represented six plaintiffs who were marketed an investment involving a specialized whole life policy that would supposedly provide tax benefits. American General knew but concealed from plaintiffs that the plans no longer complied with the law. Plaintiffs suffered losses as a result of this fraud by concealment. Among other tasks, Michael had primary responsibility for working with plaintiffs' damages expert and conducted the direct and re-direct examination of this expert at trial. The case settled for a confidential sum 8 days into the jury trial.

***Smith et. al. v. American General Ins. Co.*** - Michael was a key member of the litigation team that represented nine high net worth plaintiffs in this RICO action alleging that American General and the other members of the enterprise falsely marketed and sold our clients a whole life policy that would *supposedly* provide a multitude of tax benefits, but concealed the fact that the IRS had changed its regulations, rendering these plans no longer compliant with the law. Among other tasks, Michael had primary responsibility for working with plaintiffs' damages expert and deposing the defendants' damages expert. The case settled for a confidential sum.

***Ammari v. Pacific Bell Directory*** – Represented consumers who overpaid an AT&T subsidiary for advertising in Yellow Pages directories. Plaintiffs prevailed at trial and on two appeals to obtain a \$27 million judgment for class members, a result the *National Law Journal* deemed as one of the top 100 verdicts in 2009.

***In Re Sulzer Hip Prosthesis and Knee Prosthesis Liability Litigation*** – recovered over \$10 million on behalf of his clients in this multidistrict litigation that awarded a total of \$1 billion to patients who received defective hip implants.

## Awards & Honors

Northern California Super Lawyers, 2019-2020

Best Lawyers in America, 2020-2021 Edition



## David Stein | Partner

David Stein represents clients in federal and state cases nationwide, ranging from securities and financial fraud class actions, to product liability, privacy, and data breach suits. Courts have appointed David as lead counsel in a number of these cases and he has been praised by *Law360* as a tenacious litigator with a “reputation as one of the best consumer advocates around.”

The *Daily Journal* recognized David as one of the Top 40 attorneys in the state of California under the age of 40, and he was also honored in *Law360*’s nationwide list of “Top Class Action Attorneys Under 40.” For the last seven years, he has been rated by his colleagues as a Northern California Super Lawyers Rising Star.

David is frequently called upon to discuss emerging issues in complex litigation. He currently serves on *Law360*’s Product Liability Editorial Advisory Board, advising on emerging trends impacting product liability cases.

Before entering private practice, David served as judicial law clerk to U.S. District Court Judge Keith Starrett and U.S. Magistrate Judge Karen L. Hayes.

## Reputation and Recognition by the Courts

David has built a reputation for the quality of his representation and tenacious advocacy on behalf of the clients and classes he represents:

“[T]his is an extraordinarily complex case and an extraordinarily creative solution... I [want to] thank you and compliment you gentlemen. It's been a real pleasure to work with you.” - *Hon. D. Carter, Glenn v. Hyundai Motor America (C.D. Cal.)*

“You made it very easy to deal with this case and clearly your years of expertise have carried the day here. Nice work. Thank you.” -*Hon. M. Watson, In re Am. Honda Motor CR-V Vibration Litig. (S.D. Ohio)*

“Exceedingly well argued on both sides. .... Sometimes people really know their stuff on both sides which is what happened today so thank you.” -*Hon. J. Tigar, In re General Motors CP4 Fuel Pump Litig. (N.D. Cal.)*

## Litigation Highlights

***Deora v. NantHealth*** – Lead Counsel for certified classes of investors in litigation alleging violations of federal securities laws related to the healthcare technology company’s initial public offering in 2016. In September 2020, the Court granted final approval to a \$16.5 million class action settlement.

***Paeste v. Government of Guam*** – Secured a judgment against the Government of Guam and several of its highest-ranking officials in a suit involving the government’s unlawful administration of income tax refunds. Mr. Stein defended the judgment in an oral argument before the U.S. Court of Appeals for the Ninth Circuit, leading to a complete victory for the taxpayers in the published decision, *Paeste v. Government of Guam*, 798 F.3d 1228 (9th Cir. 2015)

***Edwards v. Ford Motor Co.*** – In a class action alleging that Ford sold vehicles despite a known safety defect, Mr. Stein twice argued plaintiff’s position before the U.S. Court of Appeals for the Ninth Circuit. In the first appeal, Mr. Stein succeeded in obtaining a reversal of the trial court’s denial of class certification. In the second, plaintiff again prevailed, with the Ninth Circuit affirming the conclusion that the lawsuit had driven Ford to offer free repairs, reimbursements, and extended warranties to the class.

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### Practice Emphasis

Class Actions  
Consumer Protection  
Financial Fraud  
Securities Litigation

### Education

Emory University School of Law, J.D., 2007

University of California at Santa Barbara, B.A., 2003

### Admissions

California

***In re: Peregrine PFG Best Customer Accounts Litigation*** - Represented investors in a lawsuit against U.S. Bank and JPMorgan Chase arising from the collapse of Peregrine Financial Group, Inc. The former Peregrine customers were seeking to recover the millions of dollars that was stolen from them out of segregated funds accounts. Plaintiffs' efforts led to settlements with JPMorgan Chase and U.S. Bank worth over \$75 million.

***In re: Hyundai Sonata Engine Litigation*** – Mr. Stein served as court-appointed co-lead counsel in this nationwide suit involving engine seizures at high speeds. The litigation led to a settlement that included nationwide vehicle recalls, extended warranties, and payments that averaged over three thousand dollars per class member.

***Browne v. American Honda Motor Co., Inc.*** – Represented consumers who alleged that 750,000 Honda Accord and Acura TSX vehicles were sold with brake pads that wore out prematurely. A settlement ensued worth approximately \$25 million, with hundreds of thousands of class members electing to participate.

## Awards & Honors

“2017 Top 40 Under 40,” *Daily Journal*

Top Class Action Attorneys Under 40, *Law360 Rising Stars* (2017)

Northern California Super Lawyers *Rising Star* (2013-2020)

## Professional Affiliations

American Association for Justice  
Consumer Attorneys of California  
Federal Bar Association  
Public Justice Foundation

## Publications & Presentations

Co-Author, “Recent Decision Highlights the Importance of Early Discovery in Arbitration,” *Daily Journal*, May 2019.

Presenter, “Article III Standing in Data Breach Litigation,” AAJ Class Action Seminar, December 2018.

Presenter, “Determining Damages in Class Actions,” *Class Action Mastery Conference*, HB Litigation, May 2018.

Presenter, “Mass Torts and Class Actions: The Latest and Greatest, Update on Class Action Standing” *56th Annual Consumer Attorneys of California Convention*, November 2017.

Author, Third Circuit Crystallizes Post-Spokeo Standard, *Impact Fund Practitioner Blog*, July 2017.

Presenter, “Class Certification,” “Class Remedies,” *HB Litigation Conferences, Mass Tort Med School + Class Actions*, March 2017.

Co-Author, “Beware Intended Consequences of Class Action Reform, Too,” *Law360 Expert Analysis*, March 14, 2017.

Co-Author, “California Omissions Claims: Safety Required?” *Law360 Expert Analysis*, February 15, 2017.

Author, *Wrong Problem, Wrong Solution: How Congress Failed the American Consumer*, 23 Emory Bankr. Dev. J. 619 (2007).



## Steven Tindall | Partner

Steven Tindall has specialized in employment and class action litigation for nearly 20 years. He has been plaintiffs' lead or co-lead counsel on several cases that resulted in settlements worth over \$1 million. Prior to joining Gibbs Law Group, Steven was a partner at Rukin Hyland Doria & Tindall, and at Lieff Cabraser Heimann & Bernstein. While at Lieff Cabraser, Steven focused on plaintiffs' class action litigation in the fields of wage and hour law, antitrust, and consumer protection. Steven has also litigated a number of mass tort personal injury and toxic tort cases.

**Steven** received his B.A. degree in English Literature from Yale University, graduating summa cum laude, Phi Beta Kappa, and with distinction in his major. He earned his J.D. degree from the University of California at Berkeley School of Law (Berkeley Law) in 1996. While at Berkeley Law, Steven co-directed the East Bay Workers' Rights Clinic. After graduating from law school, Steven clerked for Hon. Judith N. Keep of the United States District Court for the Southern District of California and for Hon. Claudia Wilken of the U.S. District Court for the Northern District of California.

In 2019, Steve received the California Lawyer Attorney of the Year (CLAY) Award for his work in *De La Torre v. CashCall*.

### Awards & Honors

California Lawyer Attorney of the Year (CLAY) Award (2019)  
Northern California Super Lawyers (2009-2020)

### Professional Affiliations

East Bay Community Law Center, Board Member

### Publications & Presentations

Co-Author, "DoorDash: Quick Food, Slow Justice," Daily Journal, March 24, 2020.

Contributor, "Can Interest Rates be Unconscionable?" Daily Journal Appellate Report Podcast, July 6, 2018.

Co-Author, "Epic Systems and the Erosion of Federal Class Actions," Law360 Expert Analysis, July 5, 2018.

Co-Author, "Senate Should Reject Choice Act and Its Payday Free Pass," Law360 Expert Analysis, July 12, 2017.

Presenter, "Preparing for and Litigating PAGA Claims 2017," Bridgeport Continuing Education, March 3, 2017.

Contributing Author, California Class Actions Practice and Procedure, Matthew Bender & Co., Inc., 2006

Author, *Do as She Does, Not as She Says: The Shortcomings of Justice O'Connor's Direct Evidence Requirement in Price Waterhouse v. Hopkins*, Berkeley Journal of Employment and Labor Law, 17, No. 2, 1996

### Admitted

California



## Amy Zeman | Partner

Amy Zeman represents clients in a variety of mass injury matters with specialized expertise in coordinating and tracking large sets of client data in complex, multi-party cases. She currently serves as court-appointed liaison counsel in *In re Risperdal and Invega Product Liability Cases*, coordinated litigation on behalf of thousands of male children who suffered irreversible breast growth after taking the antipsychotic drug. She represents individuals affected by the wide-scale storage tank failure at Pacific Fertility Center and those harmed by the well rupture and gas leak in Aliso Canyon, California. Amy also represents women who suffered permanent baldness following breast cancer chemotherapy treatments with Taxotere, and men who experienced heart attack, stroke, or other serious side effects after taking prescription testosterone supplements. In addition to mass tort litigation, Amy represents consumers in class action cases, working closely with class representatives. She has been named a *Rising Star* by Northern California Super Lawyers every year since 2013.

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### Practice Emphasis

Class Actions  
Consumer Protection  
Mass Personal Injury  
Whistleblower/ Qui Tam

### Education

University of California,  
Hastings College of Law, J.D.,  
*magna cum laude*, 2010.

University of Missouri, B.A.,  
*summa cum laude*, 1998.

### Admissions

California  
Florida

Prior to attending law school, Ms. Zeman pursued a career in the financial sector. Ms. Zeman served the members of the Marin County Federal Credit Union for almost seven years, acting as the Accounting and Compliance Manager. Ms. Zeman was a spring 2010 extern for the Honorable Marilyn Hall Patel of the United States District Court, Northern District of California.

## Litigation Highlights

### Mass Tort Litigation

***In re Risperdal and Invega Product Liability Cases*** – appointed by a California judge to serve as liaison counsel, responsible for coordinating and overseeing the lawsuits filed on behalf of thousands of male children who took the popular antipsychotic drug Risperdal and suffered irreversible gynecomastia, or male breast growth.

***Pacific Fertility Center Litigation*** – represents patients whose frozen eggs and embryos were harmed following a massive equipment failure at the Pacific Fertility Center. The lawsuit alleges that the cryo-preservation tank was defective, and that Pacific Fertility Center failed to have proper safety protocols in place.

***Southern California Gas Leak Cases*** – represents residents of communities in or near the Los Angeles suburb of Porter Ranch who were affected by the Aliso Canyon well rupture and ensuing gas leak, the largest methane leak in U.S. history. The lawsuits seek relief for those who were displaced from their homes, suffered illnesses and injuries, sustained property value losses, or lost business due to the leak.

***Taxotere (Docetaxel) Products Liability Litigation*** – selected to serve on the discovery committee in this multi-district litigation on behalf of breast cancer survivors who suffered permanent, disfiguring hair loss after using the Taxotere chemotherapy drug.

***Testosterone Replacement Therapy Products Liability Litigation*** – represents men who suffered heart attack, stroke, and other serious side effects after taking prescription testosterone supplements.

***Yaz & Yasmin Birth Control Litigation*** – represented women throughout the country who suffered serious side effects after taking Yaz, Yasmin and Ocella birth control. The federal litigation resulted in settlements worth approximately \$1.6 billion.

***Pelvic System Products Liability Litigation (transvaginal mesh)*** - represented women nationwide who suffered serious complications after receiving transvaginal mesh implants.

***Actos (Pioglitazone) Products Liability Litigation*** –represented individuals who were diagnosed with bladder cancer after taking the oral diabetic drug Actos. The federal litigation resulted in a \$2.37 billion settlement.

***Fresenius Granuflo/Naturalyte Dialysate Products Liability Litigation*** – represented dialysis patients who suffered cardiac arrest after being administered GranuFlo dialysis treatments. The litigation resulted in a \$250 million settlement.

### **Defective Product and Consumer Protection Litigation**

***Sanborn, et al. v. Nissan North America, Inc.*** – appointed as class counsel with Eric Gibbs and others. Obtained a settlement 11 days before trial was set to begin on claims that the dashboards in certain Nissan vehicles were melting into a shiny, sticky surface that produced a dangerous glare. The settlement allowed class members to obtain a \$1500-\$2000 dashboard replacement for just \$250, or equivalent reimbursement for prior replacements.

***Chase Bank U.S.A., N.A. “Check Loan” Contract Litigation*** – key member of the litigation team in this multidistrict case alleging that Chase Bank wronged consumers by offering long-term fixed-rate loans, only to later more-than-double the required loan payments. The litigation resulted in a \$100 million settlement eight weeks prior to trial.

***Sugarman v. Ducati North America, Inc.***, - represented Ducati motorcycle owners whose fuel tanks on their motorcycles degraded and deformed due to incompatibility with the motorcycles' fuel. In January 2012, the Court approved a settlement that provided an extended warranty and repairs, writing, “The Court recognizes that class counsel assumed substantial risks and burdens in this litigation. Representation was professional and competent; in the Court’s opinion, counsel obtained an excellent result for the class.”

### **Awards & Honors**

*Rising Star*, Northern California Super Lawyers (2013-2020)

### **Professional Affiliations**

American Association for Justice - Co-Vice Chair of the Class Action Litigation Group; Past Co-Chair of the Qui Tam Litigation Group; Member of the Women Trial Lawyers Caucus  
Association of Business Trial Lawyers  
Consumer Attorneys of California

### **Publications & Presentations**

Co-author, “Tips on Client Contact and Case Management in Mass Torts Part I: Client Intake and Gathering Relevant Information,” American Association for Justice, Women Trial Lawyers Caucus Connections Count Newsletter, 2013.

Co-author, “Tips on Client Contact and Case Management in Mass Torts Part II: Organizing and Working with Client Information,” American Association for Justice, Women Trial Lawyers Caucus Connections Count Newsletter, 2013.

Presenter, “Fees in Class Action Cases,” and “Qui Tam Case Strategies,” Mass Tort Med School and Class Action Conference, March 2017.

Presenter, “Claims-processing in Large and Mass-Tort MDLs,” Emerging Issues in Mass-Tort MDLs Conference, Duke University, October 2016.

Presenter, “Best Practices in Law Firm Management,” American Association for Justice 2016 Winter Convention, Women’s Trial Lawyers Caucus Leadership Summit, February 2016.

Presenter, “Lumber Liquidators Litigation,” American Association for Justice 2015 Annual Convention, July 2015.



## George Sampson | Of Counsel

George Sampson brings 35 years of experience prosecuting complex antitrust cases on behalf of consumers and small businesses. George began his career in antitrust enforcement in 1984, when he joined the New York Attorney General's Antitrust Bureau. He served as an Assistant Attorney General for 10 years – the last two years (1992-1994) as Chief of the Antitrust Bureau. George was the lead trial attorney in a civil bid-rigging action in which he won the state's first ever bid-rigging jury trial, recovering \$7.8 million for the state.

George's principal experience has been to assist expert witnesses in antitrust cases. He has either taken or defended the deposition of nearly every leading antitrust economist, whether at the class certification stage or the liability and damages phases of complex antitrust class actions. He is conversant with complex economic analyses, econometric damages models, and equally important, translating expert economic analysis into language judges and juries can readily grasp.

Currently George serves as Trial Counsel in the Disposable Contact Lens Antitrust Litigation, a class action lawsuit filed 14 years after the original Contact Lens case was tried in 2001. Along with Michael Schrag, he has been principally responsible for all of the expert economics work on the case, including presenting evidence at the two-day class certification hearing. The court's 178 page order granting class certification has been appealed by defendants.

George Sampson is Of Counsel to Gibbs Law Group and the founding partner of Sampson Dunlap LLP.

### Litigation Highlights

#### *In re Disposable Contact Lens Antitrust Litigation*

George served as co-lead counsel where he was principally responsible for all expert economic testimony. He successfully settled the case after five weeks of trial for a total recovery in excess of \$90 million.

#### *In re Visa Check/MasterMoney Antitrust Litigation*

George was appointed co-lead counsel to the litigation team. His team achieved settlement on the eve of trial for \$3 billion, at the time the largest antitrust class settlement ever achieved.

#### *McDonough v. Toys R Us*

George took on a "hub-and-spoke" case against Toys R Us for forcing baby product manufacturers to raise prices at competing retailers. Again, George was principally responsible for all expert economic testimony. After extensive discovery and a two-day class certification hearing, the case settled for \$35 million.

### Professional Affiliations

American Antitrust Institute, Advisory Board Member

American Bar Association, Antitrust Law Section

Washington State Bar Association, Antitrust and Consumer Protection Committee

## Associates and Counsel

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**John Bicknell** represents plaintiffs who have been harmed by corporate misconduct in class actions and in mass injury matters. John began his career at a small firm in New Orleans where he gained courtroom and file management experience, handling a heavy caseload in both state and federal court. His practice focused on employment litigation as well as property casualty, construction, and commercial suits. He also served on multiple trial teams.

John is a 2015 graduate of Tulane University Law School and received his B.A. in art history and business administration from Trinity University in 2012. In law school, he served as an Editor for the Tulane Journal of Technology and Intellectual Property and published the comment, *Is Graffiti Worthy of Protection: Changes Within the Visual Artists Rights Act's Recognized Stature Requirement*, 17 TUL. J. TECH. & INTELL. PROP. 337 (2014).

**Joshua Bloomfield** prosecutes complex class action lawsuits with particular experience in data breach, privacy cases and antitrust disputes. He has focused his legal career in civil and administrative litigation and real estate law for more than 15 years. Joshua is a 2000 graduate of UCLA School of Law. He received his undergraduate degree in a three-year accelerated course of study from University of Pennsylvania in 1996.

**Aaron Blumenthal** represents consumers and whistleblowers in class action lawsuits involving allegations of corporate misconduct. He has prosecuted a variety of consumer protection cases ranging from false advertising to defective products. He is also involved in the investigation and development of new cases.

Aaron was honored as a “Rising Star” by Northern California Super Lawyers (2018-2020). He attended the University of California, Berkeley School of Law (Berkeley Law), where he graduated *Order of the Coif* (a distinction awarded only to the top 10 percent of the graduating class). In law school, Aaron worked on consumer issues—writing and publishing a law review article on the practical strategies for combatting class action waivers in a post-*Concepcion* world.

**Alex Bukac** represents clients in a broad range of complex litigation matters across a wide variety of industries. He has litigated wage and hour class actions, employment cases involving claims for discrimination, harassment, and retaliation, personal injury claims and contract disputes, and has participated in government investigations of vessels relating to both property damage and regulatory compliance.

Alex received a B.A. in Politics from Occidental College, where he was a member of the baseball team. He received his J.D. from the University of San Francisco School of Law, *magna cum laude*, and earned the Academic Excellence Award, which honors the graduating student who made an extraordinary contribution to the intellectual life of the school. During law school, Alex was a member of the McAuliffe Honor Society, served as an Editor of the Law Review, and clerked for the Honorable Oliver J. Lobaugh in the Pennsylvania Court of Common Pleas. He was awarded the best oral advocate in his first-year writing class, awarded best brief in the 2013 Advocate of the Year Competition, and earned CALI awards in Civil Procedure, Constitutional Law, Contracts, International Development Seminar, Criminal Procedure, Wills & Trusts, and Legal Writing.

**Kyla Gibboney** is a 2014 graduate, *cum laude*, of the University of California Hastings School of Law, where she served as the Articles Editor of the Hastings Constitutional Law Quarterly, Research Assistant to Professor Morris Ratner, and competed with and served on the board of the Hastings Moot Court Team. During law school, Kyla was an extern with the United States Department of Justice’s Antitrust Division, and for Magistrate Judge Kandis A. Westmore, and California Court of Appeal Justice Sandra Margulies. Kyla also fought for economic justice for low income borrowers and homeowners as a

law clerk for the Anti-Predatory Lending Department of Community Legal Services in East Palo Alto, and volunteered with the General Assistance Advocacy Project in San Francisco. Kyla received her undergraduate degree in English Literature, with a minor in Theater and Performance Studies, from the University of California at Berkeley in 2009.

**Parker Hutchinson** represents individuals and classes of plaintiffs in traditional and complex personal injury and product liability actions. He is a 2009 graduate of Columbia Law School, where he was the Managing Editor of the Columbia Journal of European Law. During law school, Parker was a judicial extern with the Honorable Stanwood Duval, Jr. of the Eastern District of Louisiana. He received his undergraduate degree, *cum laude*, from Tulane University in 2004.

**Amanda Karl** represents consumers, employees and others who have been harmed by corporations. She is a 2014 graduate (Order of the Coif) of the University of California at Berkeley School of Law (Berkeley Law), where she served as the Managing Editor of the California Law Review, Director of the Workers' Rights Disability Law Clinic and Research Assistant to Professor Robert Berring, Jr. She also worked throughout law school as a Clinical Law Student at the East Bay Community Law Center, assisting with litigation targeting criminal record reporting violations, and as a law clerk at Equal Rights Advocates, where she worked on women's employment issues involving wage and hour law, pregnancy discrimination, ADA and Title VII. Amanda received her undergraduate degree, magna cum laude, in Sociology and Human Rights from Columbia University in 2009.

Amanda was honored as a "Rising Star" by Northern California Super Lawyers (2018-2020). Following graduation from law school, she served as a law clerk to the Honorable Richard A. Paez, United States Court of Appeals for the Ninth Circuit (2014-2015), and as a law clerk to the Honorable Claudia Wilken, Northern District of California (2015-2016).

**Jeffrey Kosbie** is a 2015 graduate, *magna cum laude*, of Northwestern University School of Law and Northwestern University Graduate School where he received a J.D. and a Ph.D. in Sociology. While in law school, Jeffrey served as an Articles Editor of the Northwestern Journal of Law and Social Policy. He received his undergraduate degree, *summa cum laude*, *Phi Beta Kappa*, in Sociology from Brandeis University in 2006.

Jeffrey worked as a staff attorney in the United States Court of Appeals for the Ninth Circuit (2017-2018) and served as a Multidistrict Litigation Law Clerk to the Judges Lucy Koh, Beth Freeman, and Edward Davila of the Northern District of California (2018-2019). He authored *Donor Preferences and the Crisis in Public Interest Law*, 57 SANTA CLARA L. REV. 43 (2017) and *(No) State Interests in Regulating Gender: How Suppression of Gender Nonconformity Violates Freedom of Speech*, 19 WM. & MARY J. WOMEN & L. 187 (2013).

**Linda Lam** focuses her practice on representing consumers, small businesses, and employees in complex contingency litigation. Before joining the firm, Linda was an associate attorney at a national employee benefits and employment law firm, where she represented workers and retirees.

Linda was honored as a "Rising Star" by Northern California Super Lawyers (2017 – 2020). She graduated *magna cum laude* from the University of California, Hastings College of the Law in 2014, where she was inducted into the Order of the Coif. In law school, Linda served as the Production Editor for the Hastings Race and Poverty Law Journal. She worked as a research assistant to Professor Reuel Schiller. Additionally, Linda worked on a team in the Refugee and Human Rights Clinic to win asylum status for a domestic violence victim from Mexico. In 2012, she externed for the Honorable Joseph Spero in the Northern District of California.

**Steve Lopez** is a 2014 graduate of the University of California, Berkeley School of Law (Berkeley Law), where he was a Publishing Editor for the California Law Review and an Editor for the Berkeley Journal of Employment and Labor Law. He was a member of the La Raza Law Students Association and the Legal Aid Society—Employment Law Center’s Berkeley Workers’ Rights Clinic, where he successfully argued a client’s unemployment insurance appeal in an administrative hearing. Steve was the recipient of the American Jurisprudence Award in Insurance Law, and the Prosser Prize in Remedies and Employee Benefits Law.

He was selected as a “Rising Star” by Northern California Super Lawyers (2017-2020). Before law school, Steve performed research for a consulting firm specializing in improving justice programs. He received his undergraduate degree in economics and international relations from the University of Virginia in 2008.

**Simone White** has focused her career advocating for individuals in personal injury and social security matters. She is a 2016 graduate of Texas A&M University School of Law, where she served as Executive Articles Editor for the Property Journal and worked as a summer clerk for Chief Justice Carolyn Wright of the 5th District Court of Appeals of Texas. Simone received her undergraduate degree in Microbiology from University of Texas at Austin in 2012 and worked as a microbiologist prior to attending law school.

## SIGNIFICANT RECOVERIES

Some examples of the cases in which our lawyers played a significant role are described below:

### Antitrust and Unfair Business Practices

*In re: Wells Fargo Collateral Protection Insurance Litigation*, MDL Case No.: 8:17-ML-2797 (C.D. Cal.). Eric Gibbs and Michael Schrag were appointed to the three-firm Plaintiffs’ Steering Committee in this multi-district litigation on behalf of consumers who took out car loans from Wells Fargo and were charged for auto insurance they did not need. The parties announced a proposed settlement of at least \$393.5 million for affected consumers and the Court granted final approval in November 2019.

*In re Currency Conversion Fee Antitrust Litigation*, MDL No. 1409 (S.D.N.Y.); *Schwartz v. Visa, et. al.*, No. 822404-4 (Cal. Super. Ct., Alameda Cty.). Mr. Schrag helped initiate and prosecute several class actions against Visa, MasterCard, and other major U.S. banks, such as Chase and Bank of America, for failing to disclose their price fixing of currency conversion fees charged to cardholders. After prevailing at trial in *Schwartz v. Visa, et. al.*, plaintiffs were successful in obtaining a \$336 million global settlement for the class.

*In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL 1827 (N.D. Cal.). Gibbs Law Group attorneys were among the team serving as liaison counsel in this multi-district antitrust litigation against numerous TFT-LCD (Flat Panel) manufacturers alleging a conspiracy to fix prices, which has achieved settlements of more than \$400 million to date.

***In re Natural Gas Antitrust Cases I, II, III and IV***, JCCP No. 4221 (Cal. Super. Ct. San Diego Cty). Gibbs Law Group attorneys served in a leadership capacity in this coordinated antitrust litigation against numerous natural gas companies for manipulating the California natural gas market, which has achieved settlements of nearly \$160 million.

***Beaver v. Tarsadia Hotels***, No. 11-cv-1842 (S.D. Cal.); Gibbs Law Group attorneys served as co-lead counsel representing buyers of San Diego Hard Rock Hotel condominium units in this class action lawsuit against real estate developers concerning unfair competition claims. The lawsuit settled for \$51.15 million.

***LLE One, LLC et al. v. Facebook, Inc.***, No. 4:16-cv-6232 (N.D. Cal.); Gibbs Law Group attorneys represent small businesses and other advertisers in a class action lawsuit alleging that Facebook overstated its metrics for the average time spent watching video ads on its platform. The Court granted final approval to a \$40 million class action settlement on June 26, 2020.

***Ammari Electronics, et al. v. Pacific Bell Directory***, No. RG05198014 (Cal. Super. Ct. Alameda Cty.). Mr. Schrag obtained a \$27 million judgment against an AT&T subsidiary after a jury trial and two successful appeals in this breach of contract class action on behalf of thousands of California businesses that advertised in Pacific Bell yellow pages directories. The National Law Journal featured this win in its “Top 100 Verdicts of 2009.”

***In re LookSmart Litigation***, No. 02-407778 (Cal. Super. Ct. San Francisco Cty). This nationwide class action suit was brought against LookSmart, Ltd. on behalf of LookSmart’s customers who paid an advertised “one time payment” to have their web sites listed in LookSmart’s directory, only to be later charged additional payments to continue service. Plaintiffs’ claims included breach of contract and violation of California’s consumer protection laws. On October 31, 2003, the Honorable Ronald M. Quidachay granted final approval of a nationwide class action settlement providing cash and benefits valued at approximately \$20 million.

***Lehman v. Blue Shield of California***, No. CGC-03-419349 (Cal. Super. Ct. S.F. Cty.). In this class action lawsuit alleging that Blue Shield engaged in unlawful, unfair and fraudulent business practices when it modified the risk tier structure of its individual and family health care plans, Gibbs Law Group attorneys helped negotiate a \$6.5 million settlement on behalf of former and current Blue Shield subscribers residing in California. The Honorable James L. Warren granted final approval of the settlement in March 2006.

***Wixon v. Wyndham Resort Development Corp.***, No. 07-cv-02361 (N.D. Cal.). Gibbs Law Group attorneys served as class and derivative counsel in this litigation brought against a timeshare developer and the directors of a timeshare corporation for violations of California state law. Plaintiffs alleged that the defendants violated their fiduciary duties as directors by taking actions for the financial benefit of the timeshare developer to the detriment of the owners of timeshare interests. On September 14, 2010, Judge White granted approval of a settlement of the plaintiffs’ derivative claims.

***Berrien, et al. v. New Raintree Resorts, LLC, et al.***, No. 10-cv-03125 (N.D. Cal.). Gibbs Law Group attorneys filed this class action on behalf of timeshare owners, challenging the imposition of unauthorized special assessment fees. On November 15, 2011, the parties reached a proposed settlement of the claims asserted by the plaintiffs on behalf of all class members who were charged the special assessment. On March 13, 2012, the Court issued its Final Class Action Settlement Approval Order and Judgment, approving the proposed settlement.

***Benedict, et al. v. Diamond Resorts Corporation, et al.***, No. 12-cv-00183 (D. Hawaii). In this class action on behalf of timeshare owners, Gibbs Law Group attorneys represented plaintiffs challenging the imposition of an unauthorized special assessment fee. On November 6, 2012, the parties reached a proposed settlement of the claims asserted by the plaintiffs on behalf of all class members who were charged the special assessment. On June 6, 2013, the Court approved the settlement.

***Allen Lund Co., Inc. v. AT&T Corp.***, No. 98-cv-1500 (C.D. Cal.). This class action lawsuit was brought on behalf of small businesses whose long-distance service was switched to Business Discount Plan, Inc. Gibbs Law Group attorneys served as class counsel and helped negotiate a settlement that provided full cash refunds and free long-distance telephone service.

***Mackouse v. The Good Guys - California, Inc.***, No. 2002-049656 (Cal. Super Ct. Alameda Cty.). This nationwide class action lawsuit was brought against The Good Guys and its affiliates alleging violations of the Song-Beverly Warranty Act and other California consumer statutes. The Plaintiff alleged that The Good Guys failed to honor its service contracts, which were offered for sale to customers and designed to protect a customer's purchase after the manufacturer's warranty expired. In May 9, 2003, the Honorable Ronald M. Sabraw granted final approval of a settlement that provides cash refunds or services at the customer's election.

***Mitchell v. Acosta Sales, LLC***, No. 11-cv-01796 (C.D. Cal. 2011). Gibbs Law Group attorneys and co-counsel served as class counsel representing Acosta employees who alleged that they were required to work off-the-clock and were not reimbursed for required employment expenses. We helped negotiate a \$9.9 million settlement for merchandiser employees who were not paid for all the hours they worked. The Court granted final approval of the settlement in September 2013.

***Rubaker v. Spansion, LLC***, No. 09-cv-00842 (N.D. Cal. 2009). Gibbs Law Group attorneys and co-counsel filed a class action lawsuit on behalf of former Spansion employees that alleged that the company had failed to provide terminated employees from California and Texas with advance notice of the layoff, as required by the Workers Adjustment and Retraining Notification Act (WARN Act). The bankruptcy court approved the class action settlement we and co-counsel negotiated in 2010. The settlement was valued at \$8.6 million and resulted in cash payments to the former employees.

## Securities and Financial Fraud

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***Deora v. NantHealth***, No. 2:17-cv-1825 (C.D. Cal.) – Gibbs Law Group serves as Co-lead Counsel for certified classes of investors in litigation alleging violations of federal securities laws related to the healthcare technology company's statements in connections with its initial public offering in 2016 and afterward. In September 2020, the Court granted final approval to a \$16.5 million class action settlement.

***Roth v. Aon Corp.***, No. 04-cv-06835 (N.D. Ill.). This securities fraud class action alleged that Aon Corporation and its key executives made misstatements and failed to disclose important information to investors about Aon's role in and reliance on contingent commission kickbacks and steering arrangements with insurers. Mr. Schrag helped prosecute this securities fraud class action against Aon Corporation which resulted in a \$30 million settlement for the plaintiff class.

***In re Peregrine Financial Group Customer Litigation***, No. 12-cv-5546 (N.D. Ill.). Mr. Stein was among the attorneys serving as co-lead counsel for futures and commodities investors who lost millions of dollars in the collapse of Peregrine Financial Group, Inc. Through several years of litigation, counsel helped deliver settlements worth more than \$75 million from U.S. Bank, N.A., and JPMorgan Chase Bank, N.A.

***In re Chase Bank USA, N.A. "Check Loan" Contract Litigation***, No. 09-2032 (N.D. Cal.). Gibbs Law Group attorneys and counsel from several firms led this nationwide class action lawsuit alleging deceptive marketing and loan practices by Chase Bank USA, N.A. After a nationwide class was certified, U.S. District Court Judge Maxine M. Chesney granted final approval of a \$100 million settlement on behalf of Chase cardholders.

***Mitchell v. American Fair Credit Association***, No. 785811-2 (Cal. Super. Ct. Alameda Cty); ***Mitchell v. Bankfirst, N.A.***, No. 97-cv-01421 (N.D. Cal.). This class action lawsuit was brought on behalf of California members of the American Fair Credit Association (AFCA). Plaintiffs alleged that AFCA operated an illegal credit repair scheme. The Honorable James Richman certified the class and appointed the firm as class counsel. In February 2003, Judge Ronald Sabraw of the Alameda County Superior Court and Judge Maxine Chesney of the U.S. District Court for the Northern District of California granted final approval of settlements valued at over \$40 million.

## Data Breach and Privacy

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***In re Equifax, Inc. Customer Data Security Breach Litig.***, MDL No. 2800, No. 1:17-md-2800 (N.D. Ga.) Gibbs Law Group attorneys serve on the Plaintiffs' Executive Committee in this nationwide class action stemming from a 2017 data breach that exposed social security numbers, birth dates, addresses, and in some cases, credit card numbers of more than 147 million consumers. On January 13, 2020, the Court granted final approval to a settlement valued at \$1.5 billion. Gibbs Law Group attorneys played an integral role in negotiating key business practice changes, including overhauling Equifax's handling of consumers' personal information and data security.

***In re Anthem, Inc. Data Breach Litig.***, MDL No. 2617, No. 15-md-02617 (N.D. Cal.). Gibbs Law Group attorneys serve as part of the four-firm leadership team in this nationwide class action stemming from the largest healthcare data breach in history affecting approximately 80 million people. On August 15, 2018, the Court granted final approval to a \$115 million cash settlement.

***In re: Vizio, Inc. Consumer Privacy Litigation***, MDL No. 8:16-ml-02963 (C.D. Cal.). Gibbs Law Group attorneys are co-lead counsel in this multi-district lawsuit alleging that Vizio collected and sold data about consumers' television viewing habits and their digital identities to advertisers without consumers' knowledge or consent. Counsel achieved an important ruling on the application of the Video Privacy Protection Act (VPPA), a 1988 federal privacy law, which had never been extended to television manufacturers. The firm negotiated a settlement providing for class-wide injunctive relief transforming the company's data collection practices, as well as a \$17 million fund to compensate consumers who were affected. In granting preliminary approval, Judge Josephine Staton stated, "I'm glad I appointed all of you as lead counsel, because -- it probably is the best set of papers I've had on preliminary approval." She also noted "[E]very class member will benefit from the injunctive relief." On July 31, 2019, the Court granted final approval of the settlement.

***In re Adobe Systems Inc. Privacy Litig.***, No. 13-cv-05226 (N.D. Cal.). In this nationwide class action stemming from a 2013 data breach, attorneys from Gibbs Law Group served as lead counsel on behalf of the millions of potentially affected consumers. Counsel achieved a landmark ruling on Article III standing (which has since been relied upon by the Seventh Circuit Court of Appeals and other courts) and then went on to negotiate a settlement requiring Adobe to provide enhanced security relief—including the implementation and maintenance of enhanced intrusion detection, network segmentation, and encryption.

*Whitaker v. Health Net of Cal., Inc., et al.*, No. 11-cv-00910 (E.D. Cal.); *Shurtleff v. Health Net of Cal., Inc.*, No. 34-2012-00121600 (Cal. Super Ct. Sacramento Cty). Gibbs Law Group attorneys served as co-lead counsel in this patient privacy case. On June 24, 2014, the court granted final approval of a settlement that provided class members with credit monitoring, established a \$2 million fund to reimburse consumers for related identity theft incidents, and instituted material upgrades to and monitoring of Health Net's information security protocols.

*Smith v. Regents of the University of California, San Francisco*, No. RG-08-410004 (Cal. Super Ct. Alameda Cty). Gibbs Law Group attorneys represented a patient who alleged that UCSF's disclosure of its patients' medical data to outside vendors violated California medical privacy law. The firm succeeded in negotiating improvements to UCSF's privacy procedures on behalf of a certified class of patients of the UCSF medical center. In approving the stipulated permanent injunction, Judge Stephen Brick found that "plaintiff Smith has achieved a substantial benefit to the entire class and the public at large."

## Mass Tort

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*In re Actos Pioglitazone-Products Liability Litigation*, No. 6:11-md-2299 (W.D. La.). Gibbs Law Group partners represented individuals who were diagnosed with bladder cancer after taking the oral diabetic drug Actos. The federal litigation resulted in a \$2.37 billion settlement.

*In re Yasmin and Yaz (Drospirenone) Marketing, Sales, Practices and Products Liability Litigation*, MDL No. 2385, No. 3:09- md-02100 (S.D. Ill.). Gibbs Law Group attorneys represented women throughout the country who suffered serious side effects after taking Yaz, Yasmin and Ocella birth control. The federal litigation resulted in settlements worth approximately \$1.6 billion.

*In re Pradaxa (Dabigatran Etxilate) Products Liability Litigation*, MDL No. 2385, No. 3:12-md-02385 (S.D. Ill.), Gibbs Law Group attorneys represented patients who suffered irreversible internal bleeding after taking Pradaxa blood thinners. Lawsuit resolved for settlements of approximately \$650 million.

*In re: Sulzer Hip Prosthesis And Knew Prosthesis Liability Litigation*, MDL No. 1401 (N.D. Ohio); Cal. JCCP No. 4165 (Cal. Super. Court, Alameda Cty). Mr. Schrag helped recover over \$10 million on behalf of his clients in this multidistrict litigation.

## Deceptive Marketing

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*Hyundai and Kia Fuel Economy Litigation*, No. 2:13-md-2424 (C.D. Cal.). In a lawsuit alleging false advertising of vehicle fuel efficiency, the court appointed Eric Gibbs as liaison counsel. Mr. Gibbs regularly reported to the Court, coordinated a wide-ranging discovery process, and advanced the view of plaintiffs seeking relief under the laws of over twenty states. Ultimately Mr. Gibbs helped negotiate a revised nationwide class action settlement with an estimated value of up to \$210 million. The Honorable George H. Wu wrote that Mr. Gibbs had "efficiently managed the requests from well over 20 different law firms and effectively represented the interests of Non-Settling Plaintiffs throughout this litigation. This included actively participating in revisions to the proposed settlement in a manner that addressed many weaknesses in the original proposed settlement."

***In Re Mercedes-Benz Tele Aid Contract Litigation***, MDL No. 1914, No. 07-cv-02720 (D.N.J.). Gibbs Law Group attorneys and co-counsel served as co-lead class counsel on behalf of consumers who were not told their vehicles' navigation systems were on the verge of becoming obsolete. Counsel successfully certified a nationwide litigation class, before negotiating a settlement valued between approximately \$25 million and \$50 million. In approving the settlement, the court acknowledged that the case "involved years of difficult and hard-fought litigation by able counsel on both sides" and that "the attorneys who handled the case were particularly skilled by virtue of their ability and experience."

***In re Providian Credit Card Cases***, JCCP No. 4085 (Cal. Super. Ct. San Francisco Cty). Mr. Gibbs played a prominent role in this nationwide class action suit brought on behalf of Providian credit card holders. The lawsuit alleged that Providian engaged in unlawful, unfair and fraudulent business practices in connection with the marketing and fee assessments for its credit cards. The Honorable Stuart Pollack approved a \$105 million settlement, plus injunctive relief—one of the largest class action recoveries in the United States arising out of consumer credit card litigation.

***In re Hyundai and Kia Horsepower Litigation***, No. 02CC00287 (Cal. Super. Ct. Orange Cty). In a class action on behalf of U.S. Hyundai and Kia owners and lessees, contending that Hyundai advertised false horsepower ratings in the United States, attorneys from Gibbs Law Group negotiated a class action settlement valued at between \$75 million and \$125 million which provided owners nationwide with cash payments and dealer credits.

***Skold v. Intel Corp.***, No. 1-05-cv-039231 (Cal. Super. Ct. Santa Clara Cty.). Gibbs Law Group attorneys represented Intel consumers through a decade of hard-fought litigation, ultimately certifying a nationwide class under an innovative "price inflation" theory and negotiating a settlement that provided refunds and \$4 million in cy pres donations. In approving the settlement, Judge Peter Kirwan wrote: "It is abundantly clear that Class Counsel invested an incredible amount of time and costs in a case which lasted approximately 10 years with no guarantee that they would prevail.... Simply put, Class Counsel earned their fees in this case."

***Steff v. United Online, Inc.***, No. BC265953 (Cal. Super. Ct. Los Angeles Cty.). Mr. Gibbs served as lead counsel in this nationwide class action suit brought against NetZero, Inc. and its parent, United Online, Inc., by former NetZero customers. Plaintiffs alleged that defendants falsely advertised their internet service as unlimited and guaranteed for a specific period of time. The Honorable Victoria G. Chaney of the Los Angeles Superior Court granted final approval of a settlement that provided full refunds to customers whose services were cancelled and which placed restrictions on Defendants' advertising.

***Khaliki v. Helzberg's Diamond Shops, Inc.***, No. 11-cv-00010 (W.D. Mo.). Gibbs Law Group attorneys and co-counsel represented consumers who alleged deceptive marketing in connection with the sale of princess-cut diamonds. The firms achieved a positive settlement, which the court approved, recognizing "that Class Counsel provided excellent representation" and achieved "a favorable result relatively early in the case, which benefits the Class while preserving judicial resources." The court went on to recognize that "Class Counsel faced considerable risk in pursuing this litigation on a contingent basis, and obtained a favorable result for the class given the legal and factual complexities and challenges presented."

## Defective Products

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***Glenn v. Hyundai Motor America***, Case No. 8:15-cv-02052 (C.D. Cal.). Gibbs Law Group attorneys represented drivers from six states who alleged their vehicles came with defective sunroofs that could shatter without warning. The case persisted through several years of fiercely contested litigation before resolving for a package of class-wide benefits conservatively valued at over \$30 million. In approving the settlement, U.S. District Court Judge David O. Carter praised the resolution: “[T]his is an extraordinarily complex case and an extraordinarily creative solution.

***Amborn et al. v. Behr Process Corp.***, No. 17-cv-4464 (N.D. Ill.) Gibbs Law Group served as co-lead counsel in this coordinated lawsuit against Behr and Home Depot alleging that Behr's DeckOver deck resurfacing product is prone to peeling, chipping, bubbling, and degrading soon after application. The team negotiated a class-wide settlement, which provided class members who submitted claims with 1) a refund for their purchase; and 2) substantial compensation for money spent removing DeckOver or repairing their deck. The settlement was granted final approval on December 19, 2018.

***In re Hyundai Sonata Engine Litigation***, Case No. 5:15-cv-01685 (N.D. Cal.). Gibbs Law Group attorneys served as court-appointed co-lead class counsel on behalf of plaintiffs who alleged their 2011-2014 Hyundai Sonatas suffered premature and catastrophic engine failures due to defective rotating assemblies. We negotiated a comprehensive settlement providing for nationwide recalls, warranty extensions, repair reimbursements, and compensation for class members who had already traded-in or sold their vehicles at a loss. The average payment to class members exceeded \$3,000.

***Sugarman v. Ducati North America, Inc.***, No. 10-cv-05246 (N.D. Cal.). Gibbs Law Group attorneys served as class counsel on behalf of Ducati motorcycle owners whose fuel tanks on their motorcycles degraded and deformed due to incompatibility with the motorcycles' fuel. In January 2012, the Court approved a settlement that provided an extended warranty and repairs, writing, “The Court recognizes that class counsel assumed substantial risks and burdens in this litigation. Representation was professional and competent; in the Court’s opinion, counsel obtained an excellent result for the class.”

***Parkinson v. Hyundai Motor America***, No. 06-cv-00345 (C.D. Cal.). Gibbs Law Group attorneys served as class counsel in this class action featuring allegations that the flywheel and clutch system in certain Hyundai vehicles was defective. After achieving nationwide class certification, our lawyers negotiated a settlement that provided for reimbursements to class members for their repairs, depending on their vehicle's mileage at time of repair, from 50% to 100% reimbursement. The settlement also provided full reimbursement for rental vehicle expenses for class members who rented a vehicle while flywheel or clutch repairs were being performed. After the settlement was approved, the court wrote, “Perhaps the best barometer of ... the benefit obtained for the class ... is the perception of class members themselves. Counsel submitted dozens of letters from class members sharing their joy, appreciation, and relief that someone finally did something to help them.”

***Browne v. Am. Honda Motor Co., Inc.***, No. 09-cv-06750 (C.D. Cal.). Gibbs Law Group attorneys and co-counsel represented plaintiffs who alleged that about 750,000 Honda Accord and Acura TSX vehicles were sold with brake pads that wore out prematurely. We negotiated a settlement in which improved brake pads were made available and class members who had them installed could be reimbursed. The settlement received final court approval in July 2010 and provided an estimated value of \$25 million.

***In Re General Motors Dex-Cool Cases.***, No. HG03093843 (Cal. Super Ct. Alameda Cty). Gibbs Law Group attorneys served as co-lead counsel in these class action lawsuits filed throughout the country, where plaintiffs alleged that General Motors' Dex-Cool engine coolant damaged certain vehicles' engines, and that in other vehicles, Dex-Cool formed a rusty sludge that caused vehicles to overheat. After consumer classes were certified in both Missouri and California, General Motors agreed to cash payments to class members nationwide. On October 27, 2008, the California court granted final approval to the settlement.

***In re iPod Cases***, JCCP No. 4355 (Cal. Super. Ct. San Mateo Cty). Mr. Gibbs, as court appointed co-lead counsel, negotiated a settlement that provided warranty extensions, battery replacements, cash payments, and store credits for class members who experienced battery failure. In approving the settlement, the Hon. Beth L. Freeman said that the class was represented by "extremely well qualified" counsel who negotiated a "significant and substantial benefit" for the class members.

***Roy v. Hyundai Motor America***, No. 05-cv-00483 (C.D. Cal.). Gibbs Law Group attorneys served as co-lead counsel in this nationwide class action suit brought on behalf of Hyundai Elantra owners and lessees, alleging that an air bag system in vehicles was defective. Our attorneys helped negotiate a settlement whereby Hyundai agreed to repair the air bag systems, provide reimbursement for transportation expenses, and administer an alternative dispute resolution program for trade-ins and buy-backs. In approving the settlement, the Honorable Alicemarie H. Stotler presiding, described the settlement as "pragmatic" and a "win-win" for all involved.

***Velasco v. Chrysler Group LLC***, No. 2:13-cv-08080 (C.D. Cal.). In this class action, consumers alleged they were sold and leased vehicles with defective power control modules that caused vehicle stalling. Gibbs Law Group attorneys and their co-counsel defeated the majority of Chrysler's motion to dismiss and engaged in extensive deposition and document discovery. In 2015, the parties reached a settlement contingent on Chrysler initiating a recall of hundreds of thousands of vehicles, reimbursing owners for past repairs, and extending its warranty for the repairs conducted through the recall. When he granted final settlement approval, the Honorable Dean D. Pregerson acknowledged that the case had been "hard fought" and "well-litigated by both sides."

***Edwards v. Ford Motor Co.***, No. 11-cv-1058 (S.D. Cal.). This lawsuit alleged that Ford sold vehicles despite a known safety defect that caused them to surge into intersections, through crosswalks, and up on to curbs. The litigation twice went to the U.S. Court of Appeals for the Ninth Circuit, with plaintiff prevailing in both instances. In the first instance, the appellate court reversed the trial court's denial of class certification. In the second, the Ninth Circuit affirmed the ruling below that plaintiff's efforts had generated free repairs, reimbursements, and extended warranties for the class.

***Sanborn, et al. v. Nissan North America, Inc.***, No. 00:14-cv-62567 (S.D. Fla.). Gibbs Law Group litigated this action against a vigorous defense for two years, seeking relief for Nissan Altima owners whose dashboards were melting into a sticky, shiny, gooey surface that they alleged caused a substantial and dangerous glare. After largely prevailing on a motion to dismiss, Gibbs Law Group attorneys and their co-counsel prepared the case to the brink of trial, reaching a settlement just ten days before the scheduled trial start. The settlement allowed class members to obtain steeply discounted dashboard replacements and reimbursement toward prior replacement costs.

***Bacca v. BMW of N. Am.***, No. 2:06-cv-6753 (C.D. Cal.) In a class action alleging that BMW vehicles suffered from defective sub-frames, we negotiated a settlement with BMW in which class members nationwide received full reimbursement for prior sub-frame repair costs as well as free nationwide inspections and program.

## Sexual Assault Litigation

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***A.B. v. Regents of the University of California*** No. 2:20-cv-9555 (C.D. Cal.) – Gibbs Law Group represents former patients of UCLA OB-GYN Dr. James Heaps in a class action lawsuit alleging assault, abuse and harassment violations, and accusing UCLA of failing to protect patients after first becoming aware of the doctor's misconduct. In November 2020, the parties announced a settlement, which will provide \$73 million in compensation to former patients of Dr. Heaps, as well as requiring a series of business practice reforms by UCLA for better handling of sexual assault investigations and practices going forward. Settlement approval is pending.

## Government Reform

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***Paeste v. Government of Guam***, No. 11-cv-0008 (D. Guam); Gibbs Law Group attorneys and co-counsel served as Class Counsel in litigation alleging the Government of Guam had a longstanding practice of delaying tax refunds for years on end, with the Government owing over \$200 million in past due refunds. After certifying a litigation class, Plaintiffs prevailed on both of their claims at the summary judgment stage, obtaining a permanent injunction that reformed the government's administration of tax refunds. The judgment and injunction were upheld on appeal in a published decision by the Ninth Circuit. *Paeste v. Gov't of Guam*, 798 F.3d 1228 (9th Cir. 2015).